

REMARKS

Claims 1-3, 5-22, 25, 26, 29, 30 and 33-34 are pending in this application.

Claims 11, 19, 25, 29 and 33 have been allowed without the necessity of amendment. The Examiner's indication of allowability of these claims is noted with appreciation.

As a preliminary matter, Applicants note that the final Office Action (Paper No. 25) dated on September 5, 2003 is once again premature and is incomplete. This is because in the previous Office Action (Paper No. 22) dated on February 24, 2003, claims 8, 15, 21, 26, 30 and 34 have previously been rejected under 35 U.S.C. §103(a) as being unpatentable over what the Examiner alleges as "Applicant Admitted Prior Art" and Gunjima, U.S. Patent No. 5,587,816, and further in view of Yuuki et al., U.S. Patent No. 6,147,725. Claims 8, 15, 21, 26, 30 and 34 have never been amended in the Amendment filed on June 24, 2003. However, Applicants did point out that Yuuki '725 does **not** qualify as prior art against Applicants' claims 8, 15, 21, 26, 30 and 34. Nevertheless, claims 8, 15, 21, 26, 30 and 34 have now rejected under 35 U.S.C. §103(a) in view of the same art and a newly cited art, Taira et al., U.S. Patent No. 5,712,694. Under M.P.E.P. 707.07(a), a **premature** final Office action is defined as:

"where the examiner introduces a new ground of rejection **not** necessitated by amendment of the application by applicant".

In the present situation, the Examiner has clearly instituted a new rejection based on prior art **not** of record, namely Taira '694 in order to support the rejection of claims 8, 15, 21, 26, 30 and 34 under 35 U.S.C. §103(a). Accordingly, Applicants respectfully request the Examiner to (1) withdraw the designation of Paper No 25

dated on September 5, 2003 as a "final" Office action; (2) reissue another Office Action as required by M.P.E.P. §707.07(f) be issued, and that the period for response be restarted; (3) and grant such and other relief as justice may require.

Turning now to the substance of the Office Action (Paper No. 25), claims 1-3, 5-7, 10, 12-14, 17-18, 20 and 22 have been rejected under 35 U.S.C. §103 as being unpatentable over what the Examiner alleges as "Applicant admitted prior art" in view of Gunjima et al., U.S. Patent No. 5,587,816. Previously, in support of the rejection of Applicants' independent claims 1, 13 and 20, the Examiner has asserted that Applicants admitted prior art, as shown in FIGs. 32-35 of Applicants' disclosure, discloses a liquid crystal display device with all the claimed features, except for the feature:

"a reflective polarizer arranged at an upper portion of the light control element so that a polarized light transmission axis of the reflective polarizer is adjusted so as to be substantially perpendicular or substantially parallel to a control axis of the light control element."

The Examiner has cited column 5, lines 30-41 of Gunjima '816 for allegedly disclosing this feature in order to support a conclusion that "it would have been obvious ... to arrange such reflective polarizer in which the polarized light transmission axis of the reflective polarizer is adjusted so as to be substantially perpendicular or in parallel to the control axis of the light control element as claimed in claims 1, 13 and 20 for achieving maximum light transmittance and widen the viewing angle."

When confronted with arguments and evidence that the cited column 5, lines 30-41 of Gunjima '816 does **not** disclose what the Examiner has alleged, the Examiner has now shifted his argument and cited different portions of Gunjima '816

in a conflicting fashion for allegedly disclosing the features that are absent from what the Examiner alleges as "Applicant Admitted Prior Art" (AAPA). For example, on page 3 of the final Office Action (Paper No. 25), the Examiner expressly admits that,

"AAPA as shown in Fig. 35 does **not** expressly disclose that the polarized light transmission axis of the reflective polarizer is adjusted so as to be substantially perpendicular or substantially parallel to a control axis of the light control element."

However, on page 4 of the final Office Action (Paper No. 25), the Examiner proceeds to that the same AAPA discloses the same features that are absent from the AAPA. Specifically, the Examiner alleges that,

"AAPA also discloses (as shown in Fig. 36) that the polarized light transmission axis (31) of the reflective polarizer (30) is adjusted so as to be substantially perpendicular to a control axis (40) of the light control element (40) so as to obtain a maximum transmittance"

If the Examiner's allegation is correct, then Gunjima '816 would be irrelevant and the rejection would be based on 35 U.S.C. §102, as opposed to 35 U.S.C. §103. However, the Examiner's allegation is factually baseless.

On page 31 of Applicants' specification, FIG. 36 illustrates a conventional liquid crystal display device "wherein the light control elements are arranged so that each light control axis intersects perpendicularly with the light control elements 40, 42, as indicated in FIG. 36." "Directions 41, 43 of the stripes of the light control elements 40, 42 are composed so as to be in parallel or intersect perpendicularly with the transmission axis 31 of the polarized light of the reflective polarizer 30."

As shown in FIG. 36, **two optical control elements 40, 42** are used, and when the two optical control elements 40, 42 are used, multi-reflection is repeated and the efficiency is decreased significantly due to the influence of the change in the

polarization, as described on pages 32-33 of Applicants' specification. In addition, polarized light dissolution will be generated.

In contrast to FIG. 36, Applicants' independent claims 1, 13 and 20 each defines the use of a **single** light control element arranged at a projected light side of the illumination device, and that such a light control element is the **only** light control element arranged between the illumination device and the reflective polarizer. As a result, polarized light can be maintained by arranging the axes in parallel or perpendicularly to improve the transmittance.

Specifically, base claim 1 defines a liquid crystal display device comprising:

an illumination device;
a light control element arranged at a projected light side of the illumination device;
a reflective polarizer arranged at an upper portion of the light control element so that a polarized light transmission axis of the reflective polarizer is adjusted so as to be substantially perpendicular or substantially parallel to a control axis of the light control element;
a liquid crystal display element for controlling polarization of projected light projected from the reflective polarizer; and
a screen arranged at an upper portion of the liquid crystal display element;
wherein the light control element is the only light control element arranged between the illumination device and the reflective polarizer.

Similarly, base claim 13 defines a liquid crystal display device comprising:

an illumination device;
a light control element arranged at a projected light side of the illumination device;
a reflective polarizer arranged at an upper portion of the light control element so that a polarized light transmission axis of the reflective polarizer is adjusted so as to be substantially perpendicular or substantially parallel to a control axis of the light control element;
a liquid crystal display element for controlling polarization of projected light projected from the reflective polarizer so that a major axis direction of a pixel of the liquid crystal display element is arranged approximately parallel to a direction in which a linearly polarized light

component of projected light projected from the illumination device is high; and

 a screen arranged at an upper portion of the liquid crystal display element;

wherein the light control element is the only light control element arranged between the illumination device and the reflective polarizer.

Likewise, base claim 20 defines a liquid crystal display device comprising:

 an illumination device;

a light control element arranged at a projected light side of the illumination device;

 a reflective polarizer arranged at an upper portion of the light control element so that a polarized light transmission axis of the reflective polarizer is so that a polarized light transmission axis of the reflective polarizer is adjusted so as to be substantially perpendicular or substantially parallel to a control axis of the light control element;

 a liquid crystal display element for controlling polarization of projected light projected from the reflective polarizer so that a major axis direction of a pixel of the liquid crystal display element is arranged approximately parallel to a direction in which a linearly polarized light component of the polarized light projected from the illumination device is high; and

 a screen arranged at an upper portion of the liquid crystal display element;

wherein the light control element is the only light control element arranged between the illumination device and the reflective polarizer.

As previously discussed, when a single light control element is arranged between the illumination device and the reflective polarizer as expressly defined in each of Applicants' base claims 1, 13 and 20, the essential feature of Applicants' independent claims 1, 13 and 20, relates to the "reflective polarizer arranged at an upper portion of the light control element so that a polarized light transmission axis of the reflective polarizer is adjusted so as to be substantially perpendicular or substantially parallel to a control axis of the light control element". In other words, the "polarized light transmission axis of the reflective polarizer [item 30, as shown in

FIG. 5 and FIG. 20] must be adjusted substantially perpendicular or in parallel to the control axis of the light control element."

This feature is critical to Applicants' claimed invention because the polarized light conversion efficiency can be improved and the polarized light transmission rate can be increased by making the conversion axis of the optical path conversion element intersect perpendicularly with the polarized light transmission axis of the reflective polarizer. Such reasons are expressly described on page 29, line 13 extending to page 30, line 25 of Applicants' substitute specification. Simply stated, the polarized light conversion **cannot** be obtained or achieved by the conventional LCD device shown in FIGs. 32-35 of Applicants' background of the disclosure. In fact, the very deficiencies in the conventional LCD device shown in FIGs. 32-35 of Applicants' background of the disclosure, such as the inability to perform polarized light conversion efficiently because linear polarized light polarized by birefringence of light control element is converted to ellipsoidal polarized light, as solely identified by Applicants, are the basis for Applicants' invention, that is, to solve the above defects by setting "a polarized light transmitting axis of the reflective type polarizer substantially perpendicular or parallel to the conversion axis of the light control element" as expressly defined in each of Applicants' independent claims 1, 13 and 20. In addition, the light control element [which is an anisotropic medium] is arranged between the illumination device and the reflective polarizer in order to increase the transmittance of light of the display. As a result, a thin LCD providing a bright display can be realized.

The noted deficiencies of what the Examiner alleges as "Applicant admitted prior art", as shown in FIGs. 32-35 of Applicants' disclosure, are **not** and **cannot** be remedied by the cited column 5, lines 30-41 or anywhere else in Gunjima '816.

Specifically, what the Examiner alleges as Applicants Admitted Prior Art, FIGs. 32-36 of Applicants' disclosure, only refers to the use of multiple, **two light control elements 40, 42**.

Gunjima '816, as a secondary reference, simply discloses an illumination device provided with a direct viewing type display element. A polarized light separating sheet is used to project p-polarized light efficiently. However, there is **no** disclosure anywhere in Gunjima '816 of Applicants' claimed "reflective polarizer arranged at an upper portion of the light control element so that a polarized light transmission axis of the reflective polarizer is adjusted so as to be substantially perpendicular or substantially parallel to a control axis of the light control element" as defined in each of independent claims 1, 13 and 20.

Gunjima '816, at column 5, lines 30-41, only discloses that,

"it is preferable that the polarizing sheeting provided on the light-incident side of the liquid crystal display element, is disposed such that the transmittance thereof is maximized with respect to the p polarized light component which is emitted from the polarized light separator, for employing the illumination device as the backlight of the liquid crystal display element. That is, **an average direction of an optical axis of polarization of a light ray emitted from the flat light guide in the flat illumination device approximately agrees with the optical axis of polarization of the polarizing sheet on the light-incident side of the liquid crystal display element.**"

Evidently, the Examiner argues on pages 11-12 of the Office Action (Paper No. 25) that, because Gunjima '816 describes "the average direction of an optical axis of polarization of a light ray emitted from the flat light guide in the flat illumination

device approximately agrees with the optical axis of polarization of the polarizing sheet on the light-incident side of the liquid crystal display element", such a description can be broadly interpreted or construed as Applicants' claimed "the polarized light transmission axis of the reflective polarizer approximately in parallel to a major axis direction of pixel of the liquid crystal display element, and that the "polarized light transmission axis of the reflective polarizer must be adjusted substantially perpendicular or in parallel to the control axis of the light control element so as to obtain a maximized transmittance."

Again, this line of argument is factually incorrect and legally improper. Either the cited column 5, lines 30-41, Gunjima '816, discloses or does **not** disclose Applicants' claimed "reflective polarizer arranged at an upper portion of the light control element so that a polarized light transmission axis of the reflective polarizer is adjusted so as to be substantially perpendicular or substantially parallel to a control axis of the light control element" as defined in each of independent claims 1, 13 and 20. There is **no** basis for speculation or interpretation. There is **no** basis anywhere in Gunjima '816 to support the Examiner's assertion that the polarized light transmission axis of the reflective polarizer must be adjusted so as to be substantially perpendicular or substantially parallel to a control axis of the light control element.

On page 3 of the Office Action (Paper No. 25), the Examiner further asserts that Gunjima '816 discloses,

"(col. 5, lines 30-41) that the polarizing sheet provided on the light-incident side of the liquid crystal display element, such that the transmittance thereof is maximized with respect to the **p** polarized light component which is emitted from the polarized light separator."

However, as a practical example, only a case wherein an axis of the polarized light separator is aligned with the axis of polarized light is disclosed. Further, as referred to on pages 3-4 of the Office Action (Paper No. 25), Gunjima '816 only discloses that an average direction of an optical axis of polarization of a light ray emitted from the flat light guide in the flat illumination device approximately agrees with the optical axis of polarization of the polarizing sheet on the light-incident side of the liquid crystal display element, but does **not** describe on the relation with the axis of light control element 40.

In contrast to Gunjima '816, Applicants' base claims 1, 13 and 20 require that the optical axis of the light control element is adjusted with the axis of the polarized light aiming at increasing transmittance by decreasing polarized light dissolution of the light control element. A practical result is shown in FIG. 5, as element 20, wherein the conversion axis of the light control element is intercrossed perpendicularly with the polarized light transmitting axis of the reflective type polarizer to improve the polarized light conversion efficiency and the polarized light transmittance.

The reason is that, as described in page 29, line 13 to page 30, line 25 of Applicants' substituted specification, the issue can be solved by making the conversion axis of the light control element be parallel or perpendicular to the polarized light transmittance axis of the reflective type polarizer.

In order to establish a *prima facie* case of obviousness under 35 U.S.C. §103, the Examiner must show that the prior art reference (or references when combined) must teach or suggest all the claim limitations, and that there must be some suggestion or motivation, either in the references themselves or in the knowledge

generally available to one of ordinary skilled in the art, to modify the reference or to combine reference teachings, provided with a reasonable expectation of success. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and **not** based on Applicants' disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP 2143. In other words, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." In re Wilson, 424 F.2d 1382, 1385, 165 USQP 494, 496 (CCPA 1970).

In addition, "obvious to try" is **not** a test of patentability. "Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching, suggestion or incentive supporting the combination." ACS Hospital System, Inc v. Montefiore Hospital, 732 F.2d 1572, 1577, 221 USPQ 929, 933 (Fed. Cir. 1984). The Examiner must point to something in the prior art that suggests in some way a modification of a particular reference or a combination of references in order to arrive at Applicants' claimed invention. Absent such a showing, the Examiner has improperly used Applicants' disclosure as an instruction book on how to reconstruct to the prior art to arrive at Applicants' claimed invention.

Moreover, the rejection under 35 U.S.C. §103 must be based on evidence comprehended by the language of that section. In re Grasselli, 713 F.2d 731, 739, 218 USPQ 769, 775 (Fed. Cir. 1983). The essential factual evidence on the issue of obviousness is set forth in Graham v. John Deere Co., 383 U.S. 1, 17-18, 148 USPQ

459, 467 (1966) and extensive ensuing precedent. The patent examination process centers on prior art and the analysis thereof. When patentability turns on the question of obviousness, the search for and analysis of the prior art includes evidence relevant to the finding of whether there is a teaching, motivation, or suggestion to select and combine references relied on as evidence of obviousness. See, e.g., McGinley v. Franklin Sports, Inc., 262 F.3d 1339, 1351-52, 60 USPQ2d 1001, 1008 (Fed. Cir. 2001) (“the central question is whether there is reason to combine [the] references,” a question of fact drawing on the Graham factors).

“The factual inquiry whether to combine references must be thorough and searching.” Id. It must be based on objective evidence of record. This precedent has been reinforced in myriad decisions, and cannot be dispensed with. See, e.g., Brown & Williamson Tobacco Corp., v. Phillip Morris Inc., 229 F.3d 1120, 1124-25, 56 USQP2d 1456, 1459 (Fed. Cir. 2000) (“a showing of a suggestion, teaching, or motivation to combine the prior art references is an ‘essential component of an obviousness holding’”) (“quoting C.R. Bard, Inc., v. M3 Systems, Inc., 157 F.3d 1340, 1352, 48 USPQ 2d 1225, 1232 (Fed. Cir. 1998)); In re Dembiczak, 175 F.3d 993, 999, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999) (“[Federal Circuit] case law makes clear that the best defense against the subtle but powerful attraction of a hindsight-based obviousness analysis is rigorous application of the requirement for a showing of the teaching or motivation to combine prior art references.”); In re Dance, 160 F.3d 1339, 1343, 48 USPQ2d 1635, 1637 (Fed. Cir. 1998) (there must be some motivation, suggestion, or teaching of the desirability of making the specific combination that was made by the applicant); In re Fine, 837 F.2d 1071, 1075, 5 USPQ2d 1596, 1600 (Fed. Cir. 1988) (“teachings of references can be combined

only if there is some suggestion or incentive to do so.") (emphasis in orginal) (quoting ACS Hospital System, Inc v. Montefiore Hospital, 732 F.2d 1572, 1577, 221 USPQ 929, 933 (Fed. Cir. 1984)).

The need for specificity pervades this authority. See, e.g., In re Kotzab, 217 F.3d 1365, 1371, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000) ("particular findings must be made as to the reason the skilled artisan, with no knowledge of the claimed invention, would have selected these components for combination in the manner claimed"; In re Rouffet, 149 F.3d 1350, 1359, 47 USQP2d 1453, 1459 (Fed. Cir. 1998) ("even when the level of skill in the art is high, the Examiner must identify specifically the principle, known to one of ordinary skill, that suggests the claimed combination. In other words, the Examiner must explain the reasons one of ordinary skill in the art would have been motivated to select the references and to combine them to render the claimed invention obvious.") In re Fritch, 972 F2.d 1260, 1265, 23 USQP2d 1780, 1783 (Fed. Cir. 1992) (the Examiner can satisfy the burden of showing obviousness of the combination "only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references").

In the present situation, the Examiner has **not** addressed and adequately supported the selection and combination of what the Examiner alleges as Applicant's Admitted Prior Art and Gunjima '816 to render Applicants' claimed invention obvious. The Examiner's conclusory statement that "it would have been obvious ... to arrange such reflective polarizer in which the polarized light transmission axis of the reflective polarizer is adjusted so as to be substantially perpendicular or in parallel to the control axis of the light control element" do not adequately address the issue of

motivation to combine, particularly when AAPA discloses the use of **two light control elements 40, 42**, whereas Applicants' base claims 1, 13 and 20 utilize only a single light control element arranged at a projected light side of the illumination device. This factual question of motivation is material to patentability, and cannot be resolved on subjective belief and unknown authority. It is indeed improper, in determining whether a person of ordinary skill would have been led to this combination of references, simply to "[use] that which the inventor taught against its teacher." W.L. Gore v. Garlock, Inc., 721 F.2d 1540, 1553, 220 USPQ 303, 312-13 (Fed. Cir. 1983). Thus, the Examiner must not only assure that the requisite findings are made, based on evidence of record, but must also explain the reasoning by which the findings are deemed to support the conclusion. Any deficiencies of the cited references cannot be remedied by general conclusions about what is "basic knowledge" or "common sense". In re Sang Su Lee, No. 00-1158 (Fed. Cir. 2002).

In the present situation, as previously pointed out, the Examiner has ignored to treat the claim invention as a whole, misinterpreted the disclosure of Gunjima '816, and incorrectly employed impermissible hindsight reconstruction to incorporate Gunjima '816 into what the Examiner alleges as "Applicant admitted prior art", failed to provide any suggestion or motivation in the references themselves to modify Gunjima '816 into what the Examiner alleges as "Applicant admitted prior art" in order to arrive at Applicants' claims 1, 13 and 20.

Separately, Applicants' independent claim 20 further defines at least another feature that has not been addressed by the Examiner and that is not disclosed or suggested anywhere in the Examiner's proposed combination, that is, "a liquid crystal display element for controlling polarization of projected light projected from

the reflective polarizer so that a major axis direction of a pixel of the liquid crystal display element is arranged approximately parallel to a direction in which a linearly polarized light component of the polarized light projected from the illumination device is high.” Again, no where in the Examiner’s proposed combination is there any reference to such a feature.

With respect to Applicants’ claims 2 and 3, a geometrically vertical axis forming a vertical-lateral ratio of the pixel at 3:1 is called as a major axis, and as such, is **not** and cannot be construed as the polarized light axis as referred by Gunjima ‘816. Simply, Gunjima ‘816 does **not** disclose any “major axis direction”. Gunjima ‘816 only discloses an arrangement of a polarizer so as to emit P polarized light efficiently, but does **not** disclose that the polarizer should be adjusted in what direction of the pixel.

As shown in FIG. 9, Applicants’ disclosed invention describes a composition wherein a direction of high directivity from the illuminating device should be adjusted with a direction along with the minor axis of the pixel. In order to increase directivity of the minor axis direction, it is necessary to adjust the minor axis direction of the pixel perpendicularly with the stripe grooves of the illuminating device. Because the light projected from the illuminating device has a large polarized component in parallel to the stripe grooves, a display, which does not mix colors among pixels, can be realized by adjusting the axis of the light projected from the illuminating device with the transmitted polarized light axis of the reflective type polarizer and the major axis of the pixel (the pixels are composed of RGB pixels and the vertical-lateral ratio of the pixel is formed as 3:1).

In addition, Applicants' disclosed invention also realizes a wide view angle by diffusing light at surface by adjusting a direction of high directivity from the illuminating device with a direction along with the minor axis of the pixel. If the directivity (parallel degree) of the light in the minor axis direction is not high, color mixing is generated, and a clear color display cannot be realized. Therefore, a high directivity is arranged in the minor axis direction.

With respect to Applicants' claims 26, 30, and 40, the preferable direction of the major axis of the pixel is in parallel to the stripe direction of the reflector is well known to the public. However, the direction of the major axis of the pixel in parallel to the stripe direction of the reflector is preferable not for increasing brightness as the Examiner pointed out, but necessary for keeping clear resolution. The brightness cannot be deemed as to be improved. Again, no where in the Examiner's proposed combination is there any reference to such a feature.

With respect to Applicants' claims 9 and 16, when isotropic medium is used, no problem is caused. Again, no where in the Examiner's proposed combination is there any reference to such a feature.

In view of the foregoing deficiencies of the Examiner's proposed combination and the explanations provided above, Applicants respectfully request that the rejection of claims 1-3, 5-7, 10, 12-14, 17-18, 20 and 22 be withdrawn.

Claims 8, 15, 21, 26, 30 and 34 have been rejected under 35 U.S.C. §103 as being unpatentable over what the Examiner alleges as "Applicant admitted prior art" and Gunjima et al., U.S. Patent No. 5,587,816 as applied to claims 1-3, 5-7, 10, 12-14, 17-18, 20 and 22, further in view of Yuuki et al., U.S. Patent No. 6,147,725 and the newly cited art, Taira et al., U.S. Patent No. 5,712,694 for reasons stated on

pages 7-8 of the premature final Office Action (Paper No. 25). Again, as previously discussed, Yuuki '725 does not qualify as prior art against Applicants' claims 8, 15, 21, 26, 30 and 34, because Applicants' claimed priority to an earlier JP application No. 10-68128 filed on March 18, 1998 predates the filing date of October 20, 1998 of Yuuki '725. As a result, Yuuki '725 has no place in the rejection and, should be eliminated from this rejection. If Taira '694 is intended to replace Yuuki '725, then the rejection cannot be made final, particularly when claims 8, 15, 21, 26, 30 and 34 have never made amended. Accordingly, Applicants respectfully request the Examiner to (1) withdraw the designation of Paper No 25 dated on September 5, 2003 as a "final" Office action; (2) reissue another Office Action as required by M.P.E.P. §707.07(f) be issued, and that the period for response be restarted; (3) and withdraw the rejection of claims 8, 15, 21, 26, 30 and 34.

Lastly, claims 9 and 16 have been rejected under 35 U.S.C. §103 as being unpatentable over what the Examiner alleges as "Applicant admitted prior art" and Gunjima et al., U.S. Patent No. 5,587,816 as applied to claims 1-3, 5-7, 10, 12-14, 17-18, 20 and 22, further in view of Wortman et al., U.S. Patent No. 6,101,032 for reasons stated on pages 9-10 of the Office Action (Paper No. 25). Since the correctness of this rejection is predicated upon the correctness of the rejection of claims 1-3, 5-7, 10, 12-14, 17-18, 20 and 22, Applicants respectfully traverse the rejection primarily for the same reasons discussed against the rejection of claims 1-3, 5-7, 10, 12-14, 17-18, 20 and 22.

In view of the foregoing amendments, arguments and remarks, all claims are deemed to be allowable and this application is believed to be in condition to be passed to issue. Should any questions remain unresolved, the Examiner is

requested to telephone Applicants' attorney at the Washington DC area office at (703) 312-6600.

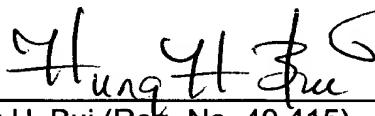
INTERVIEW:

In the interest of expediting prosecution of the present application, Applicants respectfully request that an Examiner interview be scheduled and conducted. In accordance with such interview request, Applicants respectfully request that the Examiner, after review of the present Amendment, contact the undersigned local Washington, D.C. area attorney at the local Washington, D.C. telephone number (703) 312-6600 for scheduling an Examiner interview, or alternatively, refrain from issuing a further action in the above-identified application as the undersigned attorneys will be telephoning the Examiner shortly after the filing date of this Amendment in order to schedule an Examiner interview. Applicants thank the Examiner in advance for such considerations. In the event that this Amendment, in and of itself, is sufficient to place the application in condition for allowance, no Examiner interview may be necessary.

To the extent necessary, Applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage of fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account of Antonelli, Terry, Stout & Kraus, No. 01-2135 (Application No. 503.36984X00), and please credit any excess fees to said deposit account.

Respectfully submitted,
ANTONELLI, TERRY, STOUT & KRAUS, LLP

By


Hung H. Bui (Reg. No. 40,415)

Attorney for Applicant(s)

HHB:btd

1300 North Seventeenth Street, Suite 1800
Arlington, Virginia 22209
Tel.: (703) 312-6600
Fax: (703) 312-6666